

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

WILLIAM PARKER,

Plaintiff,

v.

EDWARD C. GAINNEY, et al.,

Defendants.

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No. 2:23-cv-2102

JURY TRIAL DEMANDED

**SECOND CONSENT MOTION TO EXTEND TIME FOR CITY DEFENDANTS
TO RESPOND TO PLAINTIFF'S AMENDED COMPLAINT**

Defendants the City of Pittsburgh, Mayor Edward Gainey, Chief Larry Sciroto, Detective Kerry Ford, Detective Michael Gay, and Detective Lawrence Ferrilli ("City Defendants"), by and through their undersigned counsel, respectfully request an extension of time for City Defendants to respond to Mr. Parker's Amended Complaint at ECF No. 33.

1. As described below, Mr. Parker intends to file a Second Amended Complaint. In the interests of economy, the City Defendants wish to respond only to the upcoming Second Amended Complaint as any responses to the current Amended Complaint will be rendered moot should this Court grant leave to amend.

2. On December 13, 2023, *pro se* Plaintiff Mr. Parker filed suit against City Defendants and Allegheny County Councilwoman Bethany Hallam alleging violations of his constitutional rights pursuant to 42 U.S.C. § 1983. ECF No. 1.

3. On February 16, 2024, the City of Pittsburgh filed a Motion to Dismiss all claims against it. ECF Nos. 11, 12.

4. On February 20, 2024, this Honorable Court ordered Mr. Parker to file a response to the City's Motion to Dismiss by March 12, 2024. ECF No. 13. Mr. Parker did not file response.

5. On May 10, 2024, Mayor Gainey filed a Motion to Dismiss all claims against him. ECF Nos. 21, 22.

6. On May 10, 2024, Chief Scirotto, Detective Ford, and Detective Gay filed partial Motions to Dismiss some of the claims against them. ECF Nos. 23, 24 (Detective Ford); ECF Nos. 25, 26 (Detective Gay); ECF Nos. 27, 28 (Chief Scirotto).

7. On May 13, 2024, this Honorable Court ordered Mr. Parker to file an omnibus response to Mayor Gainey, Chief Scirotto, Detective Ford, and Detective Gay's Motions to Dismiss by June 10, 2024. This Court also provided Mr. Parker additional time to respond to the City's Motion to Dismiss by June 10, 2024. ECF No. 29. Mr. Parker did not file an omnibus response.

8. On June 10, 2024, Attorney Gailey entered his appearance on behalf of Mr. Parker. ECF No. 30.

9. The same day, Mr. Parker filed a Motion for Leave to File Amended Complaint. City Defendants consented to Mr. Parker's request for leave. ECF No. 31.

10. On June 11, 2024, this Court granted Mr. Parker's Motion for Leave to File Amended Complaint and ordered Mr. Parker to file his amended complaint by July 25, 2024. ECF No. 32.

11. On July 25, 2024, Mr. Parker filed his Amended Complaint. ECF No. 33.

12. City Defendants were initially required to respond to Mr. Parker's Amended Complaint by August 8, 2024 pursuant to Fed. R. Civ. P. 15(a)(3).

13. On August 7, 2024, City Defendants requested thirty (30) additional days to respond to Mr. Parker's Amended Complaint so that the parties could confer regarding undersigned counsel's identified deficiencies in the Amended Complaint. ECF Nos. 36, 37.

14. The Court granted this request and extended the City Defendants' deadline to respond to Mr. Parker's Amended Complaint to September 6, 2024. ECF No. 38.

15. Since the Court granted the extension, the parties conferred to discuss deficiencies identified in Mr. Parker's Amended Complaint.

16. Counsel for Mr. Parker intends to request leave from this Court to file a Second Amended Complaint in an effort to remedy the deficiencies the parties discussed.

17. Undersigned counsel will not object to Mr. Parker's request for leave to file a Second Amended Complaint.

18. Counsel for Mr. Parker consents to this motion.

19. For these reasons, City Defendants respectfully requests Fourteen (14) additional days, moving the response date to September 20, 2024, to respond to Mr. Parker's Amended Complaint so that Mr. Parker may request leave from this Court to file a Second Amended Complaint.

Respectfully submitted:

KRYSIA KUBIAK
City Solicitor

/s/ Julie E. Koren, Esq.

Julie E. Koren, Esq., PA ID 309642
Associate City Solicitor

/s/ Hillary M. Weaver, Esq.

Hillary M. Weaver, Esq.

Assistant City Solicitor

PA ID No. 322545

City of Pittsburgh Law Department

414 Grant Street

Pittsburgh, PA 15219

Hillary.Weaver@pittsburghpa.gov

Counsel for Defendants City of Pittsburgh,

Mayor Edward Gainey, Chief Larry Sciroto,

Detective Kerry Ford, Detective Michael Gay,

and Detective Lawrence Ferrilli